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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

JOHN ULRICH

**Consent  
Order of Restitution**

**19 Cr. 107 (AT)**

Upon the application of the United States of America, by its attorney, Audrey Strauss, Acting United States Attorney for the Southern District of New York, Eli J. Mark and Louis A. Pellegrino, Assistant United States Attorneys, of counsel; and consideration of the defendant's presentence investigation report; the defendant's plea of guilty pursuant to a written plea agreement in which he agreed to pay restitution; the defendant's conviction on Count One of the above-referenced Indictment; and all other proceedings in this case, it is hereby ORDERED that:

**1. Amount of Restitution**

John Ulrich, the defendant, shall pay restitution in the total amount of \$147,569.55, pursuant to 18 U.S.C. § 3663A, to the International Brotherhood of Teamsters Local 812 and Local 812 Health Fund, the victims of the offense charged in Count One. Restitution shall be sent to:

Local 812 Health Fund  
c/o Larry Cary, Esq.  
Cary Kane LLP  
Herald Square Building  
1350 Broadway #1400  
New York, NY 10018

Upon advice by the United States Attorney's Office of a change of address of a victim, the Clerk of the Court is authorized to send payments to the new address without further order of this Court.

**A. Joint and Several Liability**

Defendant's liability for restitution shall be joint and several with Patrick Paolucci should he be ordered to make restitution in *United States v. Paolucci*, 19 Cr. 106 (KMW). Defendant's liability for restitution shall continue unabated until either the defendant has paid the full amount of restitution ordered herein, or every victim has been paid the total amount of its loss from all the restitution paid by the defendant and others named herein.

**2. Schedule of Payments**

Pursuant to 18 U.S.C. § 3664(f)(2), in consideration of the financial resources and other assets of the defendant, including whether any of these assets are jointly controlled; projected earnings and other income of the defendant; and any financial obligations of the defendant; including obligations to dependents, the defendant shall pay at a minimum restitution in the manner and according to the schedule that follows:

In the interest of justice, restitution shall be payable in installments pursuant to 18 U.S.C. § 3572(d)(1) and (2). The defendant shall commence monthly installment payments in an amount equal to at least 10% percent of the defendant's gross income, payable on the first of each month, upon release from prison.

While serving any term of imprisonment, the defendant shall make installment payments toward his restitution obligation, and may do so through the Bureau of Prisons' (BOP) Inmate Financial Responsibility Plan (IFRP). Pursuant to BOP policy, the BOP may establish a payment plan by evaluating the defendant's six-month deposit history and subtracting an amount determined by the BOP to be used to maintain contact with family and friends. The remaining balance may be used to determine a repayment schedule. BOP staff shall help the defendant develop a financial plan and shall monitor the inmate's progress in meeting his restitution obligation. Any unpaid amount remaining upon release from prison will be paid in installments

in an amount equal to at least 10% percent of the defendant's gross income on the first of each month.

If the defendant defaults on the payment schedule set forth above, the Government may pursue other remedies to enforce the judgment.

**3. Payment Instructions**

The defendant shall make restitution payments by certified check, bank check, money order, wire transfer, credit card or cash. Checks and money orders shall be made payable to the "SDNY Clerk of the Court" and mailed or hand-delivered to: United States Courthouse, 500 Pearl Street, New York, New York 10007 - Attention: Cashier, as required by 18 U.S.C. § 3611. The Defendant shall write his name and the docket number of this case on each check or money order. Credit card payments must be made in person at the Clerk's Office. Any cash payments shall be hand delivered to the Clerk's Office using exact change, and shall not be mailed. For payments by wire, the defendant shall contact the Clerk's Office for wiring instructions.

**4. Additional Provisions**

The defendant shall notify, within 30 days, the Clerk of Court, the United States Probation Office (during any period of probation or supervised release), and the United States Attorney's Office, 86 Chambers Street, 3rd Floor, New York, New York 10007 (Attn: Financial Litigation Unit) of (1) any change of the defendant's name, residence, or mailing address or (2) any material change in the defendant's financial resources that affects the defendant's ability to pay restitution in accordance with 18 U.S.C. § 3664(k). If the defendant discloses, or the Government otherwise learns of, additional assets not known to the Government at the time of the execution of this order, the Government may seek a Court order modifying the payment schedule consistent with the discovery of new or additional assets.

**5. Restitution Liability**

The defendant's liability to pay restitution shall terminate on the date that is the later of 20 years from the entry of judgment or 20 years after the Defendant's release from imprisonment, as provided in 18 U.S.C. § 3613(b). Subject to the time limitations in the preceding sentence, in the event of the death of the defendant, the defendant's estate will be held responsible for any unpaid

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balance of the restitution amount, and any lien filed pursuant to 18 U.S.C. § 3613(c) shall continue until the estate receives a written release of that liability.

AGREED AND CONSENTED TO:

AUDREY STRAUSS  
Acting United States Attorney for the  
Southern District of New York

By: Eli J. Mark  
Eli J. Mark  
Louis A. Pellegrino  
Assistant United States Attorneys  
(212) 637-2431 / 2617

August 4, 2020  
DATE

JOHN ULRICH

By: John Ulrich  
John Ulrich

Aug 4, 2020  
DATE

By: Michael K. Burke  
MICHAEL K. BURKE  
HODGES WALSH & BURKE, LLP  
55 Church Street, Suite 211  
White Plains, New York 10601  
914-385-6000

8/4/2020  
DATE

SO ORDERED:

Dated: New York, New York

August 12 2020

Analisa Torres  
ANALISA TORRES  
United States District Judge